

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
SOUTHERN DIVISION

UNITED STATES OF AMERICA, Plaintiff, vs. REYMUNDO SAUCEDA, Defendant.	4:16-CR-40083-01-KES ORDER ADOPTING REPORT AND RECOMMENDATION
---	---

Defendant, Reymundo Saucedo, filed three motions to suppress. He is charged in a superseding indictment with conspiracy to distribute a controlled substance, namely, methamphetamine. These motions were referred to Magistrate Judge Veronica Duffy under 28 U.S.C. § 636(b)(1)(B) and the October 16, 2014, standing order of this court, for the purpose of conducting any necessary hearings, including evidentiary hearings.

On September 27, 2017, the magistrate judge submitted her report and recommended denial of all three of Saucedo's motions to suppress (Dockets 105, 107, and 109). Saucedo was notified in the report and recommendation that he had 14 days to file objections to the report. This court's review of a magistrate judge's report and recommendation is governed by 28 U.S.C. § 636 and Rule 72 of the Federal Rules of Civil Procedure. The court reviews de novo any objections to the magistrate judge's recommendations with respect to dispositive matters that are timely made and specific. 28 U.S.C. § 636(b)(1);

Fed. R. Civ. P. 72(b). Because motions to suppress evidence are considered dispositive matters, a magistrate judge's recommendation regarding such a motion is subject to de novo review. 28 U.S.C. § 636(b)(1)(A); *see also United States v. Raddatz*, 447 U.S. 667, 673 (1980). In conducting de novo review, this court may then "accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge." 28 U.S.C. § 636(b)(1); *see also United States v. Craft*, 30 F.3d 1044, 1045 (8th Cir. 1994).

Even though no objections were filed that would require de novo review under *Thompson v. Nix*, 897 F.2d 356 (8th Cir. 1990), the court reviewed the matter de novo and finds that the magistrate judge's report and recommendation is adopted in full. Therefore, it is

ORDERED that the report and recommendation of the magistrate judge (Docket 139) is adopted in full.

Dated October 16, 2017.

BY THE COURT:

/s/ Karen E. Schreier

KAREN E. SCHREIER
UNITED STATES DISTRICT JUDGE